

10/24/01

JC92
U.S. PTO

12-10-01

PTO/SB/05 (03-01)

for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 4478D2 US

First Inventor Linda G. Lee

Title WATER-SOLUBLE RHODAMINE DYE CONJUGATES

Express Mail Label No. EL 897 621 483 US

5-PT0
5-00253

10/24/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 136]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
5. Oath or Declaration [Total Pages 3]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Copy (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 C.F.R. §3.73(b) Statement Power of Attorney
(when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified copy of Priority Document(s) (if foreign priority is claimed)
16. Certified Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: _____

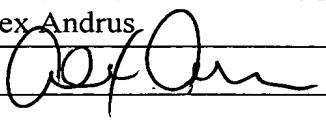
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No. 09/661,206 filed September 14, 2000
Prior application information: Examiner: Truong, T.Group Art Unit: 1624

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion of the prior application is apparently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	22896		<input type="checkbox"/> Correspondence address below
Name	Alex Andrus		
Address	Applied Biosystems 850 Lincoln Centre Drive		
City	Foster City	State	California
Country	US	Telephone	650-570-6667
		Zip Code	94404
		Fax	650-638-6677

Name (Print/Type)	Alex Andrus	Registration No. (Attorney/Agent)	44,509
Signature			Date
			October 24, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box 28923_1.DOC

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,028.00)

Complete if Known

Application Number	To be assigned
Filing Date	October 24, 2001 (herewith)
First Named Inventor	Linda G. Lee
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	4478D2 US

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 01-2213
Deposit Account Name Applied Biosystems

Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Other Order

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity			
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201 370 Utility filing fee	740.00
106	330	206 165 Design filing fee	
107	510	207 255 Plant filing fee	
108	740	208 370 Reissue filing fee	
114	160	214 80 Provisional filing fee	

SUBTOTAL (1) (\$ 740.00)

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	36	-20**= 16 X 18.00	288.00
Independent Claims	3	-3 **= 0 X 84.00	0.00
Multiple Dependent		0.00	0.00

**or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity			
Fee Code (\$)	Fee Code (\$)	Fee Description	
103	18	203 9 Claims in excess of 20	
102	84	202 42 Independent claims in excess of 3	
104	280	204 140 Multiple dependent claim, if not paid	
109	84	209 42 ** Reissue independent claims over original patent	
110	18	210 9 ** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 288.00)

3. ADDITIONAL FEES

Large Entity Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge – late filing fee or oath		
127	50	227 25 Surcharge – late provisional filing fee or cover sheet.		
139	130	139 130 Non-English specification		
147	2520	147 2520 For filing a request for ex parte reexamination		
112	920*	112 920* Requesting publication of SIR prior to Examiner action		
113	1840*	113 1840* Requesting publication of SIR after Examiner action		
115	110	215 55 Extension for reply within first month		
116	400	216 200 Extension for reply within second month		
117	920	217 460 Extension for reply within third month		
118	1440	218 720 Extension for reply within fourth month		
128	1960	228 980 Extension for reply within fifth month		
119	320	219 160 Notice of Appeal		
120	320	220 160 Filing a brief in support of an appeal		
121	280	221 140 Request for oral hearing		
138	1510	138 1510 Petition to institute a public use proceeding		
140	110	240 55 Petition to revive – unavoidable		
141	1280	241 640 Petition to revive – unintentional		
142	1280	242 640 Utility issue fee (or reissue)		
143	460	243 230 Design issue fee		
144	620	244 310 Plant issue fee		
122	130	122 130 Petitions to the Commissioner		
123	50	123 50 Petitions related to provisional applications		
126	180	126 180 Submission of Information Disclosure Stmt		
581	40	581 40 Recording each patent assignment per property (times number of properties)		
146	740	246 370 Filing a submission after final rejection (37 CFR 1.129(a))		
149	740	249 370 For each additional invention to be examined (37 CFR 1.129(b))		
179	740	279 370 Request for Continued Examination (RCE)		
169	900	169 900 Request for expedited examination of a design application		
Other fee (specify) _____				

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

SUBMITTED BY

Name (Print/Type)	Alex Andrus	Registration No. (Attorney/Agent)	44,509	Telephone	650-638-5607
Signature				Date	October 24, 2001

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

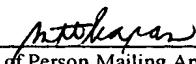
CERTIFICATION UNDER 37 CFR 1.10

Express Mail Number: EL 897 621 483 US

Date of Deposit: October 24, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box: Patent Application, Washington, D.C. 20231.

Mila T. Kasan
(Print Name of Person Mailing Application)


(Signature of Person Mailing Application)

Docket No. 4478D2 US

**Transmittal of Divisional Patent Application
For Filing Under 37 CFR 1.53(b)**

PRIOR APPLICATION: Examiner: Troung, T. Art Unit: 1624

Assistant Commissioner for Patents
Box: Patent Application
Washington, D.C. 20231

Sir:

This is a request for filing a continuation divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/661,206 filed on September 14, 2000 by Linda G. Lee, Ronald J. Graham and William E. Werner entitled

WATER-SOLUBLE RHODAMINE DYE CONJUGATES

1. Enclosed are:

- One stamped, self-addressed postcard for PTO datestamp.
- Certificate of Express Mail.
- One utility patent application containing text pages 1 - 136 and
 - 4 sheets of formal informal drawings.
- Application Data Sheet.
- Copy of executed Declaration of Inventorship from grand parent application serial no. 09/433,093.
- Sequence Listing printout, Request to Use from prior application, and matching Declaration.
- A Preliminary Amendment.
- A new Power of Attorney.

2. Amendment

- Please enter the enclosed Preliminary Amendment before calculating the filing fee. It is understood that only amendments reducing the number of claims will be entered for this purpose.
- Please cancel original claims 2 - 69, inclusive, before calculating the filing fee. (At least one original independent claim should be retained for filing purposes.)
- Amend the specification by inserting before the first line the sentence: -- This application is a divisional / continuation of application serial no. _____ filed _____ which is a divisional / continuation of application serial no. _____ filed _____ . --

3. Extension of Time

- A petition for extension of time has been filed in the parent to extend the pendency of the parent to _____ (copy enclosed).

Conditional Petition for Extension of Time: An Extension of Time is requested to provide for timely filing *if* required to establish copendency with the parent after all papers filed herewith have been considered.

4. Prior Documents Still in Effect

This application and parent application Serial No. 09/661,206 filed September 14, 2000 are assigned of record to Applera Corporation.

Power of attorney in the above-identified prior application is to Alex Andrus, Reg. No. 44,509, and the other attorneys or agents identified therein.

5. Fees

The filing fee is calculated below taking into account any amendments in section 2 above:

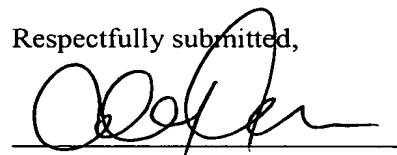
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEES
TOTAL CLAIMS	36 - 20	16	X \$18	\$288.00
INDEPENDENT CLAIMS	3 - 3	0	X \$84	\$0.00
BASIC FEE				\$740.00
Multiple Dependency Fee If Applicable \$280.00				0.00
Total				1,028.00
50% Reduction for Independent Inventor, Non-profit Organization or Small Business Concern				
TOTAL FILING FEE				\$1,028.00

The Commissioner is hereby authorized to charge the filing fee, any deficiency in fees under 37 CFR 1.16 and 1.17, or any other fees necessary for timely filing of this application, or credit any overpayment to Deposit Account No. 01-2213. A duplicate copy of this sheet is enclosed.

A check in the amount of \$ _____ is enclosed.

Filing fee to be submitted in response to anticipated receipt of Notice to File Missing Parts.
DO NOT CHARGE DEPOSIT ACCOUNT

Respectfully submitted,



Alex Andrus, Reg. No. 44,509

Dated: October 24, 2001

Correspondence Address:

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Patent Department M/S 432-2
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Foster City, California 94404
Telephone: 650-638-5607
Facsimile: 650-638-6677